

Committee Report

Item No: 3

**Reference: 0130/17
Case Officer: Tilly Smith**

Description of Development: Installation of a metal energy panel on recessed part of external wall

Location: 137 High Street

Parish: Needham Market

Ward: Needham Market

Ward Member/s: Cllr Wendy Marchant. Cllr Mike Norris

Conservation Area: Yes

Listed Building: Grade II

Received: 04/03/17

Expiry Date: 29/04/17

Application Type: LBC – Listed Building Consent

Development Type:

Environmental Impact Assessment: Environmental Impact Assessment Not Required

Applicant: Mrs W Marchant

Agent: Neil Stallard

DOCUMENTS SUBMITTED FOR CONSIDERATION

List of applications supporting documents and reports:

Application Form, Site Location Plan at scale 1:1000 and unscaled Plan showing Part Ground Floor Layout & Position of Proposed Panel – all received 12/01/17

Design & Access Statement – received 18/02/17

Drawing showing Plans as Proposed and including a Schedule of Works, a Site Location Plan and a Block Plan – marked Amended – received 04/03/17

The application, plans and documents submitted by the Applicant can be viewed online. Alternatively a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

SUMMARY

The proposed has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The officers recommend approval of this application. The proposed development represents a form of 'green energy' with a minor level of visual impact on the host dwelling, the immediate surroundings or the wider historic area.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

- This application is reported to committee as the applicant is a District Councillor

PART TWO – APPLICATION BACKGROUND

History

2. The planning history relevant to the application site is listed below. A detailed assessment of the planning history including any material Planning Appeals will be carried out as needed in Part Three:

| REF: | PROPOSAL: | DECISION: | DATE: |
|-------------|---|------------------|--------------|
| 3499/15 LBC | Removal of existing canopy and erection of conservatory on rear elevation | Granted | 20/11/15 |
| 3499/15 FUL | Removal of existing canopy and erection of conservatory on rear elevation | Granted | 20/11/15 |
| 0456/13 FUL | Installation of 6 No. freestanding solar panels | Granted | 24/04/13 |

All Policies Identified As Relevant

3. The local and national policies relevant to the application site are listed below and form part of the consideration of your officers. Detailed assessment of specific policies in relation to the recommendation and specific issues highlighted in this case will be carried out within the assessment:

Summary of Policies:

Extant policies of the Mid Suffolk Local Plan 1998:

- HB1
 - HB3
 - H18
-

Core Strategy 2008 Policy:

- CS5

Core Strategy Focus Review 2012 policies:

- FC1
- FC2

The National Planning Policy Framework:

Section 12 – Conserving and Enhancing the Historic Environment

- Paragraphs 126, 129,131, 186 & 187

Details of Previous Committee / Resolutions

4. None

Details of member site visit

5. None

Details of any Pre Application Advice

6. The siting and form of the proposed new panel was discussed with the Heritage Team, including a site visit by the heritage case officer.

List of other relevant legislation

7. Below are details of other legislation relevant to the proposed development.

- Human Rights Act 1998
- Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
- The Conservation of Habitats and Species Regulations 2010
- Localism Act
- Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

PART THREE – ASSESSMENT OF APPLICATION

Summary of Consultations

8. **BMSDC - Heritage Team**

The Heritage Team considers the impact of this development to be at the low end of the spectrum of 'less than substantial harm', and as such the proposal should be weighed against the public benefits. The panel should be painted the same colour as the wall onto which it is attached.

Representations

9. None received

The Site and Surroundings

10. The site dwelling is a Grade II Listed Building erected 1492. The dwelling has been extended including a kitchen extension in about 1980 and a conservatory erected in 2016.

The site dwelling is the northern most of a row of three large, two storey dwellings set facing the High Street to the east with the principle elevations opening directly onto the narrow pavement. There is a modest space between the adjacent neighbouring property to the north which allows pedestrian access to the rear garden of the site plot.

The site is within the Conservation Area for Needham Market and there are many listed and historic building within the immediate surroundings.

The Proposal

11. This proposal seeks to install, on the recess of the northern side elevation created by the erection of the kitchen extension in the 1980's, a lightweight (8kg) aluminium panel which produces hot water using the principal of thermodynamics. The panel dimensions are 2m x 1m. The panel will stand slightly proud of the wall.

The panel will include feed-pipes leading into the existing airing cupboard and be attached to an existing cylinder via a control box. The airing cupboard is part of the 20th century extensions to the dwelling and, therefore, this proposal will have no negative impact upon internal timbers of historic fabrics.

The wall identified as 'the site' is dark brown in colour and the proposed panel is finished in a black colour.

NATIONAL PLANNING POLICY FRAMEWORK

12. The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.

Section 12, paragraph 126:

Local Planning authorities should recognise that heritage Assets are irreplaceable resource and conserve them in a manner appropriate to their significance.

Section 12, paragraph 129:

The Local Planning Authority should identify and assess the particular significance of any heritage asset. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Section 12, paragraph 131:

In determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of historic assets

Section 12, paragraph 186:

LPA's should approach decision taking in a positive way to foster the delivery of sustainable development.

Section 12, paragraph 127

LPA's should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible.

CORE STRATEGY

13. Policy CS5 (page 34) states that all development will maintain and enhance the environment, including the historic environment, and retain local distinctiveness of the area.

SAVED POLICIES IN THE LOCAL PLAN

14. HB1, page 21, Protection of Historic Buildings:

The District Planning authority places a high priority on protecting the character and appearance of all buildings of architectural or historic interest.

HB3, page 21, Conservation and Alterations to Historic Buildings:

Proposals for the conversion of, or alteration to, listed buildings or other buildings of architectural or historic interest will only be permitted if the District Planning authority are satisfied the proposal would not detract from the architectural or historic character of the existing building or its setting and, in the case of a timber framed building, the structure of the frame including its infill material remains largely unaltered.

HB8, page 25, Safeguarding the Character and Appearance of Conservation Areas

Priority will be given to protecting the character and appearance of conservation areas and the District Planning Authority will expect new building, alterations or other forms of development to conserve or enhance their surroundings.

Main Considerations

15. From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

The following are identified as the main considerations in assessing this application:

Impact on the host Grade II Listed Building
Impact on the surrounding Conservation Area

The Principle Of Development

16. In principle, works to Listed Buildings are acceptable subject to causing no detrimental impact upon the historic value of the host building. In this instance 137 High Street is a dwellinghouse and some alterations to ensure the property has an acceptable level of modern up-grading is acceptable. Alterations that do not cause loss of original timbers or materials, and, which not only form part of the historic life of the dwellinghouse but allow the dwelling to function with the expectations of modern family use, will have an overall positive impact upon the dwelling. The installation of a single solar panel which has a positive impact upon the environment whilst have little impact upon the host dwelling is considered to be acceptable.

Design And Layout

17. The design of the proposed panel is a simple rectangle shape of 2m x 1m. The impact upon the local street scene will be very minimal due to siting.

Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]

18. The proposed solar panel while having less than substantial harm, is outweighed by environmental benefits and is considered not to have a material negative impact upon the historic materials of the Grade II host dwelling. Its simple form and colouring will allow the panel to weather and naturally blend into the background of the side elevation of the host dwelling.

The local impact upon the Conservation Area will be minimal and the panel is unlikely to be visible to passers-by.

The building directly to the north of the site, The Old Methodist Church, is not a listed building but is considered to be a heritage asset. The impact of the proposed panel is unlikely to cause any detrimental impact upon that property due to siting and the gap between the two properties.

PART FOUR – CONCLUSION

Planning Balance

19. On balance, the proposed solar panel is unlikely to cause material harm to the host dwelling or its Grade II status, to the immediate surrounding or the local Conservation Area to warrant refusal and, for those reasons, this proposal is considered acceptable.

Statement Required By Article 35 Of The Town And Country Planning (Development Management Procedure) Order 2015.

20. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case the applicant made use of the pre-application service and a Heritage Officer attended a site visit.

RECOMMENDATION

That authority be delegated to the Corporate Manager - Growth & Sustainable Planning to GRANT Listed Building Consent.

Condition recommended: Time Limit - Commencement
